IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Second Appeal No. 448 of 2006
[Smt. K.E. Saraf Vs. S.V. Dakhore & ors.]

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. V.T. Bhoskar, Adv., for the appellant.

CORAM : A.H. JOSHI, J.

DATE : 01st November,2007.

Heard.

The plaintiff's suit based on the plea of encroachment by the defendant was decreed by the Trial Court by accepting evidence of a private surveyor in respect of measurement as to encroachment.

The Appellate Court disbelieved the evidence and disregarded it, specifically holding that encroachment is not at all proved by the plaintiff. This finding recorded in paragraphs 17 and 18 of the Judgment of the First Appellate Court is not shown to be perverse or vitiated due to any illegality. The

proof of fact is to be final at the level of First Appellate Court.

No Substantial Question of Law is involved in the Appeal. Second Appeal is, therefore, dismissed.

Judge

|Hedau|